

MITIGATED NEGATIVE DECLARATION

March 25, 2004

Project Name: Avolo Minor Subdivision

Project Number(s): TPM 20817; ER #03-01-001

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended study for Drainage and Vegetation Map
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

Prior to approval of grading plans or improvement plans, and prior to approval of the Parcel Map the applicant shall:

Provide for the approval of the Director of Planning and Land Use evidence that 3.3 acres of non-native grassland habitat credit has been secured in a County-approved mitigation bank located within the Northern Valley ecoregion of San Diego County or within the closest available County-approved mitigation bank. Evidence of purchase shall include the following information to be provided by the mitigation bank:

- (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
- (2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- (3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- (4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 3.3 acres of non-native grassland habitat located within the Northern Valley ecoregion of San Diego County. A Habitat Management Plan (HMP) for the non-native grassland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the HMP.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

A. Prior to approval of any grading plans or improvement plans, and prior to approval of the Parcel Map the applicant shall:

Provide for the approval of the Director of Planning and Land Use evidence that the existing on-site well on parcel 3 has been destroyed. Evidence shall include a copy of the Well Destruction Permit from the Department of Environmental Health (DEH) that proves the well has been destroyed in accordance with DEH standards.

B. SIGHT DISTANCE

- a. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that physically, there is a minimum adequate unobstructed sight distance in both directions along Olive Hill Road from the private easement road, Puerta De Lomas serving the project, for the prevailing operating speed of traffic on Olive Hill Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.
- b. A safe and adequate sight distance shall be developed at all intersections and driveways to the satisfaction of the Director of Public Roads.

C. PRIVATE ROAD IMPROVEMENTS

- a. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, Director of Public Works, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the Parcel Map.
- b. The cul-de-sac shall be graded to a radius of thirty-eight feet (38') and improved with asphalt concrete to a radius of thirty-six feet (36'), to the satisfaction of the North County Fire Protection District Fire Department and the County of San Diego, Director of Public Works. [FIRE]
- c. The private easement road, Villa Del Cielo Drive, from the cul-de-sac to Rancho Del Cerro, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete

with mountable curbing. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works.

- d. The private easement road, Rancho Del Cerro, from Villa Del Cielo Drive to Puerta De Lomas shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works.
- e. The private easement road, Puerta De Lomas, from Rancho Del Cerro to Olive Hill Road shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty one (751) to twenty-five hundred (2,500) trips shall apply to the satisfaction of the Director of Public Works.

- D. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

March 25, 2004

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Director of Planning and Land Use

on _____

JOSEPH FARACE, Planning Manager
Regulatory Planning Division

JF:CS:tf

ND0304\0301001-ND